

00862.023437

PATENT APPLICATION



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	:	Examiner: Unassigned
HIDEAKI OKAMOTO	)	
	:	Group Art Unit: 2176
Appln. No.: 10/762,469	)	
	:	
Filed: January 23, 2004	)	
	:	
For: INFORMATION PROCESSING	)	
APPARATUS	:	June 10, 2004

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION

Sir:

In response to the NOTICE OF OMITTED ITEM(S) IN A NON-PROVISIONAL APPLICATION mailed April 26, 2004, Applicant contends that the allegedly omitted item was, in fact, deposited in the U.S. Patent and Trademark Office (PTO) with the original application papers on January 23, 2004. Applicant respectfully petitions that the application, including the allegedly omitted item, be accorded the original filing date of January 23, 2004.

### FACTS SUPPORTING PETITION

1. On January 23, 2004, Applicant filed original application papers including 48 pages of specification, claims and abstract, six sheets of formal drawings, an Application Data Sheet, an executed Combined Declaration and Power of Attorney, a check for \$856.00 for the filing fee, an Assignment, a Request for Recordation of Assignment, and a check for \$40.00 for the recordal fee.

2. A postcard stamped by the Office of Initial Patent Examination of the PTO acknowledging receipt of all these documents is attached.

3. Applicant received a Notice of Omitted Item(s) in a Nonprovisional Application (copy attached) dated April 26, 2004, alleging that Fig. 6 was omitted from the application.

### RELIEF REQUESTED


Because Applicant filed Fig. 6 as one of the original six sheets of drawings on January 23, 2004, and Applicant has in hand a PTO-stamped postcard acknowledging receipt of six drawing sheets, it is respectfully petitioned that Fig. 6 be considered to in fact have been deposited in the PTO on January 23, 2004, with the original application papers. A filing date of January 23, 2004, is respectfully requested to be accorded for all of the application papers including Fig. 6. A copy of Fig. 6 is attached hereto.

FEES

The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 06-1205. A duplicate of this paper is attached for that purpose.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

  
Attorney for Applicant

Registration No. 33,628

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200  
MAW\nt

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Commissioner for Patents

P.O. Box 1450  
Alexandria, VA 22313-1450

Date 1/23/2004  
Mo. Day Yr.

Atty. Docket 00262-023437

Sir:

Kindly acknowledge receipt of the accompanying:

- ☒ Specifications, claims and abstract 48 pages, with Transmittal Form  
☒ Patent Application Bibliographic Data Sheet 2 sheets  
☒ Executed Oath or Declaration and Power of Attorney  
☒ 6 Sheets of ✓ formal        informal drawings  
☒ Check for \$ 856.00 (filing fee)  
☐ Request for Continued Examination and Check for \$         
☒ Assignment, PTO-1595 and Check for \$ 40.00  
☐ Transmittal Under 37 CFR 1.53(d) (CPA)  
☐ Petition under 37 CFR 1.136 and check for \$         
☐ Other (specify)

by placing your receiving date stamp hereon and mailing or returning to deliverer.

This is a ☐ Continuation ☐ Divisional ☐ Continuation-In-Part 37 CFR 1.8 ☐

Atty. MAW/kw Due Date 1/31/2004 37 CFR 1.10 ☐  
Mo. Day Yr.

By Hand MAW



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